

**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APPLICANTS: Omar Habib Khan, et al.
SERIAL NO.: 10/814,365
FILING DATE: March 31, 2004
TITLE: Systems and Methods for Identifying a Named Entity
EXAMINER: Chelcie L. Daye
GROUP ART UNIT: 2161
ATTY. DKT. NO.: 24207-10084

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By: _____

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REPLY BRIEF

This Reply Brief is filed in accordance with 37 CFR § 41.41 in response to the Examiner's Answer, which was mailed on September 16, 2008.

Response to the Examiner's Remarks

The arguments advanced by the Examiner in Part 10 of the Examiner's Answer (herein "Answer") mischaracterize the Appellants' arguments set forth in the Appeal Brief filed July 14, 2008 with regard to the obviousness rejection of claims 1, 19-20 and 36. Appellants argued that Malik (U.S. Pat. No. 7,007,085), Bharat (U.S. Pat. No. 6,112,203) and Dumais (U.S. Pat. No. 7,162,473) do not disclose or suggest "responsive to determining the weight to associate with each of the plurality of named entities, automatically creating an implicit search query based at least in part on the plurality of named entities and the associated weight, the implicit search query focused on a named entity with a higher associated weight more than on a named entity with a lower associated weight." The Examiner alleges that the arguments presented in the Appeal Brief attack the references individually where the rejections are based on combinations of references. Appellants respectfully disagree.

As noted by the Examiner, Malik fails to disclose or suggest determining a weight to associate with each of the plurality of named entities based at least in part on a frequency of each of the plurality of named entities within the data store. (Office Action of 2/19/08, pg. 3.) The Examiner relies on a combination of Malik and Bharat to disclose responsive to determining the weight to associate with each of the plurality of named entities, creating¹ a search query..., the search query focused on a named entity weight a higher associated weight more than on a named entity with a lower associated weight. (Office Action of 2/19/08, pg. 4.)

¹ Claims 1, 19-20 and 36 recite creating an "implicit search query."

The Examiner alleges that the Appellants argue that Bharat does not disclose or suggest “automatically creating an implicit search query.” (Answer, pg. 11.) This is incorrect. Appellants’ argument is that Bharat does not disclose or suggest automatically creating a query “based at least in part on the plurality of named entities and *the associated weight*,” much less an “*implicit* query,” nor does Bharat disclose or suggest that the query is “focused on a named entity with a higher associated weight more than on a named entity with a lower associated weight.” Appellants argue that Bharat’s relevance weights based on term frequency are only determined *after* an unweighted search query has been executed on a query topic. (Appeal Brief, pgs. 8) Bharat’s weights simply measure the similarity between the query topic and pages *within a result set* that were returned as a result of the search query. (Appeal Brief, pgs. 7.)

Additionally, Appellants addressed the result that would ensue if the Examiner’s assertion of the combination of the teachings of Malik and Bharat were followed. As stated in the Appeal Brief on pg. 8, if the teachings of Malik and Bharat were combined as suggested by the Examiner, this would not result in the limitations recited in claim 1. Bharat’s weights would be used to rank the resulting information (i.e., result list) corresponding to user communication disclosed in Malik because Bharat only discloses applying term weighting *after* a result set has been provided. Thus, the resulting combination merely translates to a weighted and ranked *result list* of relevant information associated with the user’s communication. In contrast, in the claimed invention a weight associated with each of the plurality of named entities is determined and then an implicit search query is created based at least in part on the plurality of named entities and *the associated weight*.

Furthermore, the Examiner relied upon Dumais to disclose “automatically creating an implicit search query.” Appellants argued that Dumais’ implicit search query is *not* responsive to determining the weight to associate with each of the plurality of named entities, as claimed. (Appeal Brief, pg. 9.) Lastly, in the Answer, the Examiner added that although Dumais was not relied upon to teach determining a weight to associate with each of the plurality of named entities, Dumais does teach the use of ranking search results. (Answer, pg. 14.) Dumais suffers from the same deficiencies as Bharat in that weights are only used to rank *a result set*, whereas in the claimed invention, the determined weight associated with each of the plurality of named entities are used to automatically create an *implicit search query*.

In sum, the references, whether considered alone or in combination, do not disclose or suggest “responsive to determining the weight to associate with each of the plurality of named entities, automatically creating an implicit search query based at least in part on the plurality of named entities and the associated weight, the implicit search query focused on a named entity with a higher associated weight more than on a named entity with a lower associated weight,” as claimed. For the foregoing reasons, Appellants submit that the

Examiner's rejections of the pending claims are erroneous and respectfully request that the Board reverse the rejections.

Respectfully Submitted,
OMAR HABHB KHAN, ET AL.

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